

## **REMARKS**

In response to the Office Action, Applicants cancel Claims 1-21 and add new Claims 22-40. New Claims 22-40 incorporate the features recited in Claims 1-21 and more clearly point out the subject matter that Applicants seek to claim. Thus, no new matter has been added. Reconsideration of the pending claims is respectfully requested in view of the above amendment and the following remarks.

### **I. Claims Rejected Under 35 U.S.C. § 103(a)**

Claims 1-7, 12-15 and 20-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,574,423 issued to Oshima et al. ("Oshima"), in view of U.S. Patent No. 6,553,147 issued to Chai et al. ("Chai").

Claims 8 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Oshima, in view of Chai.

Claims 9, 11, 17 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Oshima, in view of Chai.

Claims 10 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Oshima, in view of Chai

To establish a *prima facie* case of obviousness, the relied upon references must teach or suggest every limitation of the claim such that the invention as a whole would have been obvious at the time the invention was made to one skilled in the art.

Applicants submit that independent Claims 22, 27, 31 and 37 are non-obvious over the cited references. Among other elements, Claims 22 recites "wherein the multiplexed stream includes: viewpoint information including the number of view points that the packetized elementary stream provides, and display discrimination information including the display mode that the packetized elementary stream provides." Independent Claims 28, 31 and 37 include similar elements. Neither Oshima nor Chai discloses a multiplexed stream that includes the recited viewpoint information and the recited display discrimination information.

Oshima discloses a device that records 3D stereoscopic video and 2D video. FIGs. 20-26 of Oshima describe different embodiments of a video recording and reproduction system.

However, Oshima does not disclose that viewpoint information and display discrimination information are added to the multiplexed stream. Chai does not cure the defects of Oshima. Chai is relied on for disclosing packetized video and audio. However, Chai does not disclose a multiplexed stream that includes the recited viewpoint information and the recited display discrimination information. Thus, Oshima in view of Chai does not teach or suggest each of the elements of independent Claims 22, 27, 31 and 37, as well as their respective dependent claims, namely, Claims 23-26, 28-30, 32-36 and 38-40.

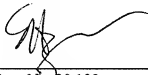
Accordingly, withdrawal of the § 103 rejection is respectfully requested.

### **CONCLUSION**

In view of the foregoing, it is believed that all claims are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666.

Respectfully submitted,

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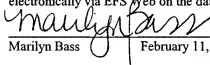


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